

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

☐ Original    ☒ Supplemental    ☐ Substitute    ☐ PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**Gene Delivery and Expression in Areas Inaccessible to Direct Protein Delivery**", which is described and claimed in the specification

(check one) ☐ which is attached hereto, or  
☒ **which was filed on December 20, 2001, as United States Application No. 10/027,797 with a Preliminary Amendment to the specification and claims,**  
or  
☐ in International Application No. PCT/, filed , and as amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) or §365(b) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATIONS: (ENTER BELOW IF APPLICABLE)			PRIORITY CLAIMED (MARK APPROPRIATE BOX BELOW)	
APP. NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	YES	NO

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.



226/287

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled GENE DELIVERY AND EXPRESSION IN AREAS INACCESSIBLE TO DIRECT PROTEIN DELIVERY the specification of which

\_\_\_\_\_ is attached hereto.

X was filed on October 16, 1997 as Application Serial No. 08/951,552 and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability and/or examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Application(s):

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

<u>60/029,252</u>	<u>October 24, 1996</u>
(Application Number)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Richard J. Warburg, Esq., Registration No. 32,327

Kindly recognize as associate attorney:

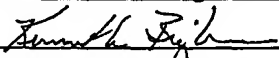
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Address all telephone calls to Richard J. Warburg, Esq. at telephone no. 619 552-8400.

Address all correspondence to Richard J. Warburg, Esq., LYON & LYON LLP, 633 West Fifth Street, Suite 4700, Los Angeles CA 90071.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Full name of first inventor Kenneth Brigham


Inventor's signature  Date: 3/9/98

Residence 211 Printer's Alley, 3rd Floor, Nashville, Tennessee 37201

Citizenship U.S.A.

Post Office Address 211 Printer's Alley, 3rd Floor, Nashville, Tennessee 37201

Full name of second inventor Angelo Canonico

Inventor's signature  Date: 3/9/98

Residence 1607 Green Hills Drive, Nashville, TN 37215

Citizenship U.S.A.

Post Office Address 1607 Green Hills Drive, Nashville, TN 37215

Full name of third inventor Barbara Meyrick  
Inventor's signature Barbara Meyrick Date: 3/4/98  
Residence 117 Pembroke Avenue, Nashville, Tennessee 37205  
Citizenship U.S.A.  
Post Office Address 117 Pembroke Avenue, Nashville, Tennessee 37205

Full name of fourth inventor Arlene Stecenko  
Inventor's signature Arlene Stecenko Date: 3/4/98  
Residence 211 Printer's Alley, 3rd Floor, Nashville, Tennessee 37201  
Citizenship U.S.A.  
Post Office Address 211 Printer's Alley, 3rd Floor, Nashville, Tennessee 37201

APPLICATION NUMBER	FILING DATE
60,029,252	October 24, 1996

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS (MARK APPROPRIATE COLUMN BELOW)		
		PATENTED	PENDING	ABANDONED
08/951,552	October 16, 1997			

I hereby appoint the following attorneys and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



23859

PATENT TRADEMARK OFFICE


Address all telephone calls to Shari J. Corin, Ph.D. at telephone no. (404) 688-0770.

Address all correspondence to:

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127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: KENNETH BRIGHAM

Inventor's signature:  Date: 2/27/02

Residence: 211 Printer's Alley, 3<sup>rd</sup> Floor, Nashville, Tennessee 37201

Post Office Address: 211 Printer's Alley, 3<sup>rd</sup> Floor, Nashville, Tennessee 37201

Citizenship: United States of America

Full name of second inventor: ANGELO CANONICO

Inventor's signature:  Date: 2/19/02

Residence: 1607 Green Hills Drive, Nashville, Tennessee 37215

Post Office Address: 1607 Green Hills Drive, Nashville, Tennessee 37215

Citizenship: United States of America

Full name of third inventor: BARBARA MEYRICK

Inventor's signature:  Date: 2/5/02

Residence: 117 Pembroke Avenue, Nashville, Tennessee 37205

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Citizenship: United States of America

Full name of fourth inventor: ARLENE STECENKO

Inventor's signature: Arlene Stecenko Date: Feb 1/02

Residence: 211 Printer's Alley, 3<sup>rd</sup> Floor, Nashville, Tennessee 37201

Post Office Address: 211 Printer's Alley, 3<sup>rd</sup> Floor, Nashville, Tennessee 37201

Citizenship: United States of America